

ORDINANCE _____

AN ORDINANCE relating to land use and zoning; amending Sections 23.41.010, 23.41.014, 23.55.030, and 23.73.010 of the Seattle Municipal Code, adding a new subsection to Section 23.41.12, approving and adopting revised Neighborhood Design Guidelines for the Pike/Pine Urban Center Village, and amending provisions in the Pike/Pine Conservation Overlay District to better maintain the character of the Pike/Pine neighborhood.

WHEREAS, in response to the 1991 Pike/Pine Planning Study sponsored and conducted by a coalition of Pike/Pine neighborhood and civic groups, business and property owners, and residents, the Pike/Pine Overlay District was established to preserve and enhance the area's mixed-use character; and

WHEREAS, in March 1999, the City Council adopted Ordinance 119413 amending the City's Comprehensive Plan to include key goals and policies from the 1998 Pike/Pine Urban Center Village Plan, which reaffirmed the neighborhood's commitment to mixed-use development, while identifying additional priorities including: 1) sustaining the character of Pike/Pine through implementation of urban design recommendations and policy changes and 2) considering a "conservation district" for the neighborhood; and

WHEREAS, in September 2000, the City Council adopted Ordinance 120081 adopting Neighborhood Design Guidelines for the Pike/Pine Urban Center Village; and

WHEREAS, in July 2009, the City Council adopted Ordinance 123020, renaming the overlay district the Pike/Pine Conservation Overlay District, expanding its boundaries, and adding provisions that limit the scale of new projects, encourage new projects to retain existing structures as part of a development site, provide spaces for small businesses at street level, and accommodate facilities serving the arts, to further the preservation and enhancement of the unique character of the Pike/Pine neighborhood; and

WHEREAS, additional design guidelines for Pike/Pine and greater involvement of the Design Review Board will encourage new buildings and signage that contribute to the character of the Pike/Pine neighborhood and help maintain "character structures" that are incorporated into new developments;

WHEREAS, the Department of Planning and Development is updating the 15 year old citywide design guidelines on which all neighborhood design guidelines are based, and this effort provides an opportunity to reorganize the Pike/Pine Neighborhood Design Guidelines to match the new citywide format, and to update the illustrations in the Pike/Pine Neighborhood Design Guidelines; NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 23.41.010 of the Seattle Municipal Code, which section was last amended by Ordinance 122994, is amended as follows:

Section 23.41.010 Design Review Guidelines

A. The "Guidelines for Multifamily and Commercial Buildings, 1998 (Amended 2006)" and neighborhood design guidelines approved by the City Council and identified in subsection B of Section 23.41.010, provide the basis for Design Review Board recommendations and City design review decisions, except in Downtown, where the "Guidelines for Downtown Development, 1999" apply. Neighborhood design guidelines are intended to augment and make more specific the "Guidelines for Multifamily and Commercial Buildings, 1998 (Amended 2006)" and the "Guidelines for Downtown Development, 1999." To the extent there are conflicts between neighborhood design guidelines and the "Guidelines for Multifamily and Commercial Buildings, 1998 (Amended 2006)" or "Guidelines for Downtown Development, 1999", the neighborhood design guidelines prevail.

B. The following Neighborhood design guidelines are approved:

1. "University Community Design Guidelines, 2000;"
2. "Pike/Pine Urban Center Village Design Guidelines, ((2000)) 2010;"
3. "Roosevelt Urban Village Design Guidelines, 2000;"
4. "Ballard Municipal Center Master Plan Area Design Guidelines, 2000;"
5. "West Seattle Junction Urban Village Design Guidelines, 2001;"
6. "Green Lake Neighborhood Design Guidelines, 2001;"
7. "Admiral Residential Urban Village Design Guidelines, 2002;"
8. "South Lake Union Neighborhood Design Guidelines, 2005;"
9. "Northgate Urban Center and Overlay District Design Guidelines, 2003;"

10. Belltown Urban Center Village Design Guidelines, 2004;
11. Wallingford Neighborhood Design Guidelines, 2005;
12. Capitol Hill Neighborhood Design Guidelines, 2005;
13. Greenwood/Phinney Neighborhood Design Guidelines, 2005;
14. Othello Neighborhood Design Guidelines, 2005;
15. North Beacon Hill Design Guidelines, 2006;
16. North District/Lake City Guidelines, 2006;
17. Morgan Junction Neighborhood Design Guidelines, 2007;
18. Upper Queen Anne Neighborhood Design Guidelines, 2009; and
19. Uptown Neighborhood Design Guidelines, 2009.

Section 2. A new subsection E of Section 23.41.012, which section was last amended by Ordinance 123206, is added as follows:

23.41.012 Development standard departures

* * *

E. Departures for retaining character structures on lots in the Pike/Pine Conservation Overlay District. Departures from the conditions in subsections 23.73.010.C.2 and 23.73.010.F.2 when retaining a character structure as part of a new project may be granted if the following conditions are met:

1. The retained portion of the character structure is sufficient to give the appearance of a free-standing structure; or
2. The newly-constructed portion of the project, through vertical or horizontal modulation or other design treatments, generally provides for better integration of the physical

appearance and arrangement of interior spaces between the character structure and the new project than would occur through the strict application of subsection 23.73.010.C.1; or

3. Additional flexibility is necessary to maintain a character structure on a small development lot that is 8,000 square feet or less in size; and

4. The ground story of the character structure can accommodate the elements of the proposed new structure, such as a mezzanine or additional story, while maintaining the original character of the character structure by: retaining sufficient portions of the ground floor that are visible from the street at the original floor to ceiling height, through appropriate placement and design of the new structure, or through other design means that are consistent with the Pike/Pine Urban Center Design Guidelines.

Section 3. Subsection B of Section 23.41.014, which section was last amended by Ordinance 123206, is amended as follows:

23.41.014 Design review process

* * *

B. Early Design Guidance Public Meeting.

1. Following a preapplication conference, and site visits by Design Review Board members assigned to review a proposed project, an early design guidance public meeting with the Design Review Board shall be held.

2. The purpose of the early design guidance public meeting shall be to identify concerns about the site and the proposed project, review the design guidelines applicable to the site, determine neighborhood priorities among the design guidelines, and explore design concepts and/or options.

3. At the early design guidance public meeting, the project proponents shall present the following information:

a. An initial site analysis addressing site opportunities and constraints, the use of all adjacent buildings, and the zoning of the site and adjacent properties; and

b. A drawing of existing site conditions, indicating topography of the site and the location of structures and prominent landscape elements on or abutting the site (including but not limited to all trees ~~((six (6)))~~ 6 inches or greater in diameter measured ~~((four and one half (4 1/2)))~~ 4.5 feet above the ground, with species indicated); and

c. Photos showing the facades of adjacent development, trees on the site, general streetscape character and territorial or other views from the site, if any; and

d. A zoning envelope study ~~((which))~~ that includes a perspective drawing; and

e. A description of the proponent's objectives with regard to site development.

f. In the Pike/Pine Conservation Overlay District established in Section 23.73.004, if a character structure is located on the same lot as a proposed project, the applicant shall:

1) Analyze the features that define the developed context of the structures located on the block front where the project is proposed, and on all block fronts facing the project;

2) Evaluate the relationship of the character structure's key architectural and structural elements to the developed context, and how the new project will respond to this relationship; and

3) Evaluate the character structure's key architectural and structural elements and how the new project will maintain those elements and the character structure's integrity.

4. ((The)) Except as provided in this subsection 23.41.014.B.4, the proponent is encouraged, but not required, to bring one ((4)) or more development concepts or alternatives to indicate possible design options for the site. In the Pike/Pine Conservation Overlay District established in Section 23.73.004, if a character structure is located on the same lot as a proposed project, the applicant shall provide at least one alternative development concept that maintains the character structure's key architectural and structural elements and the integrity of the character structure.

* * *

Section 4. Subsection D of Section 23.55.030 of the Seattle Municipal Code, which section was last amended by Ordinance 123020, is amended as follows:

Section 23.55.030 Signs in NC3, C1, C2 and SM zones

* * *

D. In the Pike/Pine Conservation Overlay District, internally-illuminated cabinet signs larger than 3 square feet in size and backlit awning signs are prohibited.

* * *

Section 5. Subsection C of Section 23.73.010, which section was last amended by Ordinance 123020, is amended as follows:

23.73.010 Development standards

* * *

C. Retaining character structures on a lot. A 25 percent increase in the floor size limit above 35 feet in height is permitted for projects that incorporate a character structure on the same lot, either as a whole structure or as a portion of a structure, pursuant to the following provisions.

1. No increase in floor size is permitted under the provisions of this subsection for a project that will result in the demolition of a designated Seattle Landmark or a character structure identified on Table A for 23.73.010.

2. For a project that incorporates portions of a character structure, the following conditions shall be met:

- a. All street-facing facades of the character structure are retained; ~~((and))~~
- b. All portions of the new structure above the height of the street facing facades of the character structure are set back a minimum of 15 feet from all street property lines that abut the character structure~~((-)); and~~
- c. The original floor-to-ceiling height of the ground story is maintained.

~~((3. As an alternative to the provisions of subsection 23.73.010.C.2, the Director may, as a Type I decision, waive or modify the conditions of this subsection, based on the following:~~

- ~~a. The portion of the structure that is retained is sufficient to give the appearance of a free-standing building; or~~
- ~~b. The newly constructed portion of the project, through vertical or horizontal modulation or other design treatments, generally provides for a better integration of the existing structure with the new project, in terms of both physical appearance and the arrangement of interior spaces, than would otherwise occur through the strict application of the standards in subsection 23.73.010.C.1; or~~

~~c. Additional flexibility is necessary to maintain a character structure on a small development lot that is 8,000 square feet in size or less.))~~

((4))3. Any floor area in a new portion of the structure above 35 feet in height that is within the area of the original footprint of the character structure and is separated from the street along all street frontages by the original facades of the character structure is not included in the calculation of the floor area subject to the floor size limit.

((5))4. A project that is granted an increase in floor size under the provisions of this subsection 23.73.010.C shall maintain the character structure, or portions of the character structure, both interior and exterior, in good condition and repair and in a manner that preserves unique features and characteristics for the life of the project. Any increase in floor size permitted pursuant to this Section 23.73.010.C shall not be combined with any increase in floor size permitted pursuant to Section 23.73.010.B.

Table A for 23.73.010
Identified Character Structures ¹

Address	Historic Name	Common Name
1519 12th Avenue	Overland Pacific Building	Police Department East Precinct
300 E. Pine Street	Butterworth Mortuary	Butterworth Mortuary
1501 Broadway	Broadway State Bank	Tully's
1205 E. Pine Street	McAlpin-Schreiner Company	Foley Sign Company
1021 E. Pine Street	Colyear Motor Sales Company	REI/Velo Bike
901-911 E. Pike Street	Tyson Oldsmobile Company	Frame Central
1217-1221 E. Pike Street	S. L. Savidge	Elysian Brewery
915-919 E. Pike Street	Graham Motor Cars	Shambhala Center of Seattle
1525 11 th Avenue	Bocker Building	REI/Value Village
1400 12 th Avenue	Bekins Moving and Storage	Trace Lofts
1201-1205 E. Pike Street	Standard Brands	1205 E. Pike Building
1519-1521 Broadway	Eldridge Tire Company	Broadway Café
1120-1124 E. Pike Street	Packard Seattle	Utrecht Art Supplies
953 E. Union Street	Otto's Radiator Service	The Finer Details
301-309 E. Pine Street	Melrose Building	Melrose Building
311-321 E. Pine Street	Timken Roller Bearing	Le Frock
721-725 E. Pine Street	Flick and Rash	Bill's Off Broadway

Address	Historic Name	Common Name
1600 Broadway	Boone and Company Pontiac	AEI Music
1511 Boylston Avenue	Glencoe Apartments	Glencoe Apartments

Address	Historic Name	Common Name
1633 Melrose Avenue	Sherwood Apartments	Sherwood Apartments
1631 Belmont Avenue	Conrad Apartments	Conrad Apartments
401 E. Pine Street	Carr Brothers Auto Repair	General Petroleum Museum
1520 Melrose Avenue	Melrose Apartments	Melrose Apartments
1351 Olive Way	Unknown	Fillipi's Old Books and Records
1611 Boylston Avenue	Universal Repair Shop	Universal Repair Shop
1001 E. Pike Street	Unknown	Arensberg/La Puerta
1134 Broadway	Unknown	Vacant
1400 Broadway	Johnson & Hamilton Mortuary	Gilda's Club of Seattle
1426 Broadway	Unknown	Rutherford's Auto Rebuild
1158 Broadway	Unknown	Complete Automotive
1414 Broadway	Western Auto Wrecking	Aker's
1612 Broadway	Unknown	AEI Music
400 E. Pine Street	Hirsch Cycle Co.	Lighting Design Lab and 4 others
501 E. Pine Street	Unknown	Bell Occhio 7 and 3 others
610 E. Pine Street	Unknown	Capitol Loans and 4 others
619 E. Pine Street	Paige Building	R Place
801-805 E. Pine Street	Masonic Temple	Egyptian Theater and SCCC
911-919 E. Pine Street	Odd Fellows Temple	Odd Fellows Temple
909 E. Pine Street	Unknown	In 2 Services
1101 E. Pine Street	S-E Co.	2 nd Base and 1 other
1315-1323 E. Pine Street	Chester Apartments	Capital Grocery and 2 others
1100-1106 E. Union Street	Unknown	Union Art Co-op
1015-1021 E. Pike Street	Lorraine Court Apartments	Wildrose and 2 others
300 E. Pike Street	Gallagher's Fine Cars	Six Arms
1415-1423 10 th Avenue	Unknown	Crescent Down works and 4 others
1101-1103 E. Pike Street	Liebeck Garage	Aria and 7 others
1011-1013 E. Pike Street	Unknown	Chrissa's Window Bar and 1 other
1319 E. Madison Street	Talbot Building	Callahan's Auto Rebuild

¹ Source of Table A for 23.73.010: The Department of Neighborhoods November 2002 Historic Resources Survey, structures categorized as "Yes - Inventory" or "Yes - Hold".

* * *

F. Height exception for lots that include a character structure. In zones with a mapped height limit of 65 feet, or with a 40 foot mapped height limit with provisions allowing for

additional height up to 65 feet pursuant to subsection 23.47A.012.A, the Director may permit the height of a structure to exceed the height limit of the zone by 10 feet, subject to the following:

1. The lot includes a character structure, or significant portion of a character structure ~~((and meets the provisions of subsection 23.73.010.C))~~;

2. For a project that incorporates a character structure, the following conditions shall be met:

a. All street facing facades of the character structure are retained;

b. All portions of the new structure above the height of the street facing facades of the character structure are set back a minimum of 15 feet from all street property lines that abut the character structure; and

c. The original floor to ceiling height of the ground story is maintained.

~~((2))~~3. The additional floor area above the height of 65 feet is occupied solely by residential use; and

~~((3))~~. The project will not result in the demolition of a designated landmark or of a character structure that is identified on Table A for 23.73.010, except as allowed to include a portion of a character structure in the new development pursuant to subsection 23.73.010.C.

* * *

Section 6. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2010, and signed by me in open session in authentication of its passage this ____ day of _____, 2010.

President _____ of the City Council

Approved by me this ____ day of _____, 2010.

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2010.

City Clerk

(Seal)

Attachment 1: Pike/Pine Urban Center Village Design Guidelines, 2010